



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,302	07/06/2001	Rajiv V. Joshi	YOR9-2001-0512US1 (728-21)	5687

7590

09/10/2002

Paul J. Farrell, Esq.
Dilworth & Barrese, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553

EXAMINER

CHO, JAMES HYONCHOL

ART UNIT

PAPER NUMBER

2819

DATE MAILED: 09/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/900,302

Applicant(s)

JOSHI ET AL.

Examiner

James H. Cho

Art Unit

2819

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. Receipt is acknowledged of the Amendment filed July 1, 2002.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2 and 4-9 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Sridhar et al. (US PAT No. 5,528,177).

Regarding claim 1, Fig. 2b and 2g of Sridhar et al. teaches a MOSFET logic circuit (CFET, MOSFET, MOS, PFET, NFET logic are interchangeable; col. 1, lines 14-23) for performing a logic OR operation comprising three transistors (221, 222, 224), first and second transistors (221, 222) forming a transmission gate (TRANSMISSION GATE in Fig. 2b) outputting one signal (output signal at 231) where at least two input signals (A, B, /A, /B) are provided to the first and second transistors and an output signal indicative of an OR operation (A+B) performed on a first and second input signal of the at least two input signals is output from the MOSFET logic circuit.

Regarding claim 2, Fig. 2b and 2g of Sridhar et al. teaches the MOSFET logic circuit as in claim 1 where the three transistors include first and second PMOS transistors (222, 224) and one NMOS transistor (221).

Regarding claim 4, Fig. 2b and 2g of Sridhar et al. teaches the MOSFET logic circuit as in claim 1 where first input signal (A) is provided to a source of first and second transistors of the three transistors (221, 222), the second input signal (B) is provided to a gate of the second transistor (222), and a complement of the second input signal (\overline{B}) is provided to a gate of the first transistor (221).

Regarding claim 5, Fig. 2b and 2g of Sridhar et al. teaches the MOSFET logic circuit as in claim 1 where a complement of the second input (\overline{B}) is provided to a gate of a third transistor (224) of the three transistors.

Regarding claim 6, Fig. 2b and 2g of Sridhar et al. teaches the MOSFET logic circuit as in claim 1 where the at least two input signals to the first and second transistors further comprise a complement of the second input signal (\overline{B}).

Regarding claim 7, Fig. 2b and 2g of Sridhar et al. teaches the MOSFET logic circuit as in claim 1 where when the second input signal has a logic LOW level the output of the MOSFET logic circuit is an output signal of the transmission gate (when B= logic LOW, 224 is turned off and 222 is turned on so that the output is A).

Regarding claim 8, Fig. 2b and 2g of Sridhar et al. teaches the MOSFET logic circuit as in claim 1 where a third transistor (224) of the three transistors is a pull-up transistor (224 pulls up to VCC when turned on) and when the second input signal has a

logic high level the output of the MOSFET logic circuit has a voltage level approximately equal to a drain of the third transistor which pulls up the output signal from the transmission gate to a logic HIGH level (when B=high, 224 is turned on and pulls up the output signal at 231).

Regarding claim 9, Fig. 2b and 2g of Sridhar et al. teaches the MOSFET logic circuit as in claim 1 where a delay of the MOSFET logic circuit is one of a delay of a transmission gate formed by first and second transistors of the three transistors, and a delay of a third transistor of the three transistors (delay through 221 and 222 and turn-on delay of 224).

Response to Amendment

3. Applicant's arguments filed July 1, 2002 have been fully considered but they are not deemed to be persuasive regarding claims 1-2 and 4-9.

On pages 3-4 of the amendment, applicant argues that Sridhar et al. does not disclose or suggest a transmission gate formed by first and second transistors of the three transistors outputs one signal and the output signal is OR operation and "Sridhar appears to require a pair of CFET logic circuits for performing NOR or OR operation. However, the examiner notes that NMOS 221 and PMOS 222 forms a transmission gate as clearly shown in Fig. 2b and the transmission gate performs an OR operation at the output node 231 since the inverted output of the output signal 231 is NOR as clearly

shown in Fig. 2g. Examiner notes that Sridhar et al. clearly teaches and suggests every claimed element as shown in Fig. 2b and Fig. 2g.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Cho whose telephone number is 703-306-5442. The examiner can normally be reached on Monday-Friday, 05:30am-02:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Tokar can be reached on 703-305-3493. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-0142 for regular communications and 703-308-0142 for After Final communications.

Application/Control Number: 09/900,302
Art Unit: 2819

Page 6

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

JHC
September 9, 2002


Michael Tokar
Supervisory Patent Examiner
Technology Center 2800